

APPROVED JANUARY 20, 2010

At 6:30 PM Chairman Charles Kimball called the meeting to order. Budget Committee members present were Charles Kimball, Andy Kohlhofer, Mike Nygren, Sue D'Eon, Pat Martel, Laurie Allore, Peg Pinkham and Recording Secretary Jeanne Nygren.

A motion to approve the minutes of the January 6, 2010 meeting was made by Kohlhofer with one paragraph amended. This was seconded by Allore. The vote was 6-1 with Martel abstaining.

Tonight the Budget Committee needs to make their recommendations on Articles 4, 16, 17, 18, 19, 20, 21, 22, 23, and 24. The Budget Committee's recommendations are as follows on these Articles. The Articles are listed below in this document in their entirety.

Article 4: 2010 Operating Budget \$2,440,256. A motion to recommend this Article as written was made by Kohlhofer. This was seconded by Nygren. The vote was unanimous at 7-0.

Article 16: Authorizing the Conservation Commission with regard to property interest. A motion to recommend this Article as written was made by Kimball. This was seconded by Pinkham. The vote was 6-1. Kohlhofer nay.

Article 17: Adopting the wood heating energy exemption. A motion not to recommend this Article as written was made by Kohlhofer. This was seconded by Nygren. After discussion by the committee the vote was 6-1. Kimball nay.

Selectmen Greta St. Germain and Donald Gates, Jr. and Town Administrator Heidi Carlson came into the Budget Committee meeting at this time.

Article 18: Acceptance of new road. A motion to recommend this Article as written was made by Pinkham. This was seconded by Nygren. The vote was unanimous at 8-0.

Article 19: Acceptance of new road. A motion to recommend this Article as written was made by Kohlhofer. This was seconded by Nygren. The vote was unanimous at 8-0.

Article 20: Authorizing the Selectmen to accept new Town roads. A motion to recommend this Article as written was made by Pinkham. This was seconded by Allore. The vote was unanimous 8-0.

Article 21: Appointing Selectmen as agents of Capital Reserve Fund previously established. A motion to recommend this Article as written was made by Kohlhofer. This was seconded by Pinkham. The vote was unanimous 8-0.

Article 22: Appointing Selectmen as agents of Capital Reserve Fund previously established. A motion to recommend this Article as written was made by Pinkham. This was seconded by Kohlhofer. The vote was unanimous 8-0.

Article 23: By Petition: Resolution regarding an amendment to the NH Constitution that defines marriage. A motion to recommend this article was made by Kohlhofer. This was seconded by Allore. The vote was 5-3. Nay votes by Nygren, D'eon, and Pinkham.

Article 24: Combining the positions of Town Clerk and Tax Collector. Discussion was started but due to the time being 7:25 PM and people starting to come in to attend the Public Hearing at 7:30 PM. there was a motion to table this Article made by Kohlhofer. This was seconded by Nygren. The vote was unanimous 8-0.

At 7:40 PM the Public Hearing was called to order by Chairman Kimball.

Members of the public and department heads present were: Neal Janvrin, Katherine Arsenault, Meredith Bolduc, Lori Holmes, Renee King, Nicole Cloutier, Keith Stanton, Thomas Roy, Scott Boisvert, Richard Butler and Richard Zablocki. The Budget Committee introduced themselves for those present tonight. Administrator Carlson started to go through the MS-7 line by line, explaining what expenses were included in these lines and then answered any questions from the public. Listed below are the Warrant Articles that are presented for discussion before the Deliberative Session and eventual voting at the polls.

TOWN OF FREMONT NH 2010 TOWN MEETING WARRANT

**To the inhabitants of the Town of Fremont in the County of
Rockingham in said State, qualified to vote in Town Affairs:**

PURSUANT TO RSA 40:13 II, THE FIRST SESSION OF THE 2010 TOWN MEETING (THE DELIBERATIVE SESSION) SHALL BE HELD ON SATURDAY JANUARY 30, 2010 AT THE ELLIS SCHOOL AT 432 MAIN STREET IN FREMONT NEW HAMPSHIRE BEGINNING AT 9:00 AM. THE SNOW DATE FOR THIS SESSION WILL BE HELD MONDAY FEBRUARY 1, 2010 BEGINNING AT 7:00 PM.

THE SECOND SESSION (VOTING SESSION) SHALL BE HELD ON TUESDAY MARCH 9, 2010 AT THE FREMONT SAFETY COMPLEX AT 425 MAIN STREET IN FREMONT NEW HAMPSHIRE WITH POLLS OPEN FROM 7:00 AM to 8:00 PM. ALL ARTICLES WILL BE VOTED UPON BY OFFICIAL BALLOT WITH ANY AMENDMENTS AS MADE AT THE DELIBERATIVE SESSION.

ELECTION OF TOWN OFFICERS

ARTICLE 1: To choose by ballot all necessary Town Officers for the ensuing year.

PROPOSED ZONING CHANGE

ARTICLE 2: Are you in favor of amending the Fremont Zoning Ordinance by adding new Article IV Section 3-A follows:

As it relates to Article IV Section 3 and Article XI Section E-1; where-ever a commercial use or a mixed use of residential and commercial are proposed on the same lot the minimum lot size shall be further determined in that each 2,000 square feet (or any part thereof) of commercial use shall constitute a calculate-able unit for the purpose of

determining the minimum lot size. The lot size minimum is as determined by Article IV Section 3 and/or Article XI Section E-1; whichever applies.

Examples:

The minimum lot size for consideration of commercial Conditional Use Permit in the Flexible Use District would be 2 acres or if in the Aquifer Protection District the minimum lot size for a commercial conditional use permit would be 3 acres.

A proposed 10,000 sq ft commercial

A 10,000 square foot commercial use outside of the Aquifer District would require a total of 4.3 acres. Calculation: $10,000/2,000 = 5$ units and minimum lot size is 2 acres, 2 acres plus 20,000 sq ft times the number of units (5) of calculation = 4.3 acres.

A proposed 4,000 square foot mixed use w/3 residential

A mixed use 4,000 square foot commercial with 3 residential 2 bedroom dwelling units. The lot is outside the Aquifer. Calculation: $4,000/2,000 = 2$ plus 3 dwelling units = 5 calculate-able units and the minimum lot size is 2 acres, 2 acres plus 20,000 sq ft times the number of units (5) of calculation = 4.3 acres.

(See also Article XI Section E-1)

The Planning Board recommends this amendment. (Majority vote required.)

PROPOSED ZONING CHANGE

ARTICLE 3: Are you in favor of amending the Fremont Zoning Ordinance by changing Article IX to read as follows:

Add new proposed text

~~Deleted text~~

**ARTICLE IX
WETLAND AND WATERSHED PROTECTION DISTRICT**

A. Authorities and Purpose

- 1) Establishment of this ordinance with the authority vested in the Fremont Planning Board by the voters of the Town of Fremont, NH on March 11, 1947 and the authority vested in the Conservation Commission by the voters of the Town of Fremont, NH on RSA 36-A:1-6.
- 2) Purpose: In the interest of public health, convenience, safety, and welfare, the regulation of the District is intended to guide the use of areas of lands draining into wetlands, rivers, brooks, ponds; to control building and land uses which would contribute to pollution of surface and ground water by sewage; to prevent the destruction of watershed areas and wetlands which provide flood protection, recharge of ground water supply, and augmentation of stream flow

during dry periods; to prevent unnecessary or excessive expenses to the Town to provide and maintain essential services and utilities which arise because of the inharmonious use of watershed areas and wetlands; to encourage those uses that can be appropriately and safely located in this district.

- 3) *All wetlands in this Article are subject to the jurisdiction of the NHDES Wetlands Bureau and a permit is required to dredge or fill them.*

B. Administration

- 1) Administration of the provisions of this ordinance shall be coordinated with the Fremont Conservation Commission through the designated commission member represented on the Fremont Planning Board. Responsibilities of said member shall be consistent with RSA 36:0 and RSA 36-A: 2-3.
- 2) To the extent possible, the Watershed Protection District shall, through the Planning Board, maintain close coordination with surrounding watershed districts and regional watershed authorities.

C. Definitions

- 1) Wetlands: Wetlands mean an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adopted for life in saturated soil conditions. *Wetlands will be delineated by a New Hampshire Certified Wetland Scientist according to the following standards: US Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1 (January, 1987); Field Indicators for Identifying Hydric Soils in New England (Current Version) NEIWPCC Wetlands Work Group (2006); National List of Plant Species That Occur in Wetlands: Northeast (Region 1). U.S. Fish and Wildlife Service (May 1988); Code of Administrative Rules, Wetlands Bureau, State of New Hampshire (Wt 301.01).*
- 2) Watershed Protection Area: Watershed Protection Area shall mean an area of land surrounding wetlands for the purpose of controlling building and land uses which would contribute to the pollution of surface and ground water, and preventing the destruction of watershed areas and wetlands which would provide flood protection. Land areas designated as Watershed Protection Areas shall comply with the provisions of Section E.
 - i. ~~a. Watershed Protection Area 1: - Permanent flowage~~ *Perennial streams; (Rivers, Brooks, streams-named ponds and all Prime Wetlands)* shall include all lands within one hundred fifty (150) feet of the mean annual high of the Exeter River, Piscassic River, Loon Pond, Red Brook, and Brown Brook and other perennial streams.

- ii. ~~b.~~ Watershed Protection Area 2: - Intermittent ~~flowage~~ streams: any ~~brook, stream, or pond, or vernal pool~~ having flowing or standing water for six (6) months of the year shall include all lands within one hundred (100) feet of the center line of said brook or stream and one hundred (100) feet from the mean annual high of said pond.
 - iii. ~~c.~~ Watershed Protection Area 3: - Wetlands: shall include that land area within ~~one hundred (100) feet of any designated wetland. In addition, the protection area shall include "poorly drained" and "very poorly drained" soils and a one hundred (100) foot buffer around these soils. seventy five (75) feet of any wetland greater than three thousand (3,000) square feet.~~
 - iv. ~~d.~~ Sections ~~a-e~~ i - iii above shall be considered minimum buffer areas for watershed protection. In certain cases the Board may require increased watershed boundaries when considering, but not limited to, the following: when areas abutting watershed protection areas have excessive inclines of twelve (12) percent or greater, importance of watershed to water supply, importance of watershed to wildlife habitat. If the Board makes a determination that increased watershed protection is necessary, the Board may require the watershed protection area to be increased by up to and not to exceed one hundred (100) feet.
- 3) Prime Wetlands: Shall mean any areas falling within the jurisdictional definitions of RSA 482-A:3 and RSA 482-A:4 that possess one or more of the values set forth in RSA 482-A:1 and that, because of their size, unspoiled character, fragile condition or other relevant factors, make them of substantial significance. ~~Such maps or designations, or both, shall be in such form and to such scale, and shall be based upon such criteria, as are established by the commissioner through rules adopted pursuant to RSA 541-A. Prime wetlands are shown on the Fremont Prime Wetland Tax Map overlay.~~

A: Reference NH RSA 482-A: 11, IV.

- 4) Vernal Pool means a surface water or wetland which provides breeding habitat for amphibians and invertebrates that have adapted to the unique environments provided by such pools and which typically have the following characteristics:
- a. Cycles annually from flooded to dry conditions, although the hydroperiod, size, and shape of the pool might vary from year to year;
 - b. Forms in a shallow depression or basin;
 - c. Has no permanently flowing outlet;
 - d. Holds water for at least two continuous months following spring ice-out;
 - e. Lacks a viable fish population; and
 - f. Supports one or more primary vernal pool indicators, or 3 or more secondary vernal pool indicators.

~~D. Test Procedures (Subdivision Regulation): Soil testing procedures shall be subject to the prior review, approval and on site inspection by the Planning Board or its designate. Such procedures shall be conducted by, and at the expense of the landowner/subdivider. A complete record of the tests shall be submitted to the Selectmen and placed on file with the Planning Board.~~

D. Uses Permitted: Any of the following uses that do not result in the erection of any dwelling or building in public or private use or alter the surface configuration (except as permitted) of the land may be permitted in this District consistent with State and Federal wetland regulations:

- 1) Forestry, tree farming, within the limits of RSA 224:44a.
- 2) Agriculture, including grazing, farming, and harvesting of crops, except that mink farms and piggeries shall not be included in this district.
- 3) Drainage ways, *treatment swales*, streams, creeks, or other paths of normal run-off water.
- 4) Water impoundments, detention basins, and well supplies.
- 5) Wildlife refuge.
- 6) Open space as may be permitted by subdivision regulations and other sections of this ordinance.

E. ~~F.~~ Special Provisions

- 1) No waste disposal system may be located closer than one hundred (100) feet to any wetland.
- 2) No waste disposal system may be located within a watershed protection area.
- 3) Wetlands shall not be used to satisfy the minimum lot area and setback requirements, but may be included in the total lot area.
- 4) Watershed protection areas may be included in the minimum lot size requirements. All dwellings, structures, or parking areas shall have no portion within the Watershed Protection Area.

F. ~~G.~~ Prime Wetlands: In accordance with RSA 482-A:15 the wetland system commonly known as "Spruce Swamp" and other designated wetland systems described in documents and maps filed by the Planning Board and Conservation Commission with the Town Clerk and State of New Hampshire Department of Environmental Services, is hereby designated as a prime wetland. *Prime wetlands are shown on the Fremont Prime Wetland Tax Map overlay.*

G. ~~H.~~ Special Exceptions: The Board of Adjustment, after proper public notice and public hearing, may grant special exceptions for the following uses within the district, the application for such uses having been referred by the Planning Board for site plan review, the Conservation Commission, the Health Officer and Building Inspector and reported on by all four (4) prior to the public hearing or thirty (30) days have elapsed following such referral without receipt of such reports.

- 1) Recreation, including golf courses, parks (but not an amusement park), boating, fishing, landings, picnic areas and any non-commercial ~~open air~~ passive recreation use ~~provided there are adequate provision for disposal of waste products and for parking.~~
- 2) Dredging, filling, drainage ~~(in compliance with the RSA 149:8a)~~ or otherwise altering the surface configuration of the land; streets, roads and other access ways and utility rights if essential to the productive use of land if so located and constructed as to minimize any detrimental impact of such uses upon the wetland and watershed protection areas.
- 3) A) Proper evidence to this effect shall be submitted in writing to the Board of Adjustment and shall be accompanied by ~~the findings of a review by the Rockingham County Soil Conservation Service District of the environment effects of such proposed use upon the wetland and watershed protection area in question.~~ a functional analysis of the wetland and shall include an evaluation of alternatives to determine a demonstrated need for the impact. A mitigation plan for such impacts within the watershed protection area shall be included.

B) The above evaluations must be submitted by an independent New Hampshire Certified Wetland Scientist as designated by the Town of Fremont.

H. Structural Setbacks: The following setbacks to wetlands shall be observed by all structures in order to protect the integrity and functionality of the wetlands resources referenced below.

Resource	Size of Resource	Relationship to Surface Waters	Minimum Setback
<i>Prime Wetlands and Perennial Streams in Watershed Protection Area 1</i>	<i>Any size</i>	<i>n/a</i>	<i>150 feet</i>
<i>Wetlands and Intermittent Streams in Watershed Protection Area 2</i>	<i>Wetlands 20,000 square feet or more and all Intermittent Streams in WWPA 2</i>	<i>Contiguous with Surface Waters</i>	<i>100 feet</i>
<i>Vernal Pools</i>	<i>All Sizes</i>	<i>n/a</i>	<i>100 feet</i>
<i>Wetlands</i>	<i>Greater than 3,000 square feet and less than 20,000 square feet</i>	<i>Not Contiguous with Surface Waters</i>	<i>75 feet</i>
	<i>Less than 3,000 square feet</i>	<i>Not Contiguous with Surface Waters</i>	<i>25 feet</i>

I. Buffers: The following vegetative buffers shall be observed in order to protect the integrity and functionality of the wetlands resources referenced below.

Resource	Size of Resource	Type of Buffer	Size of Buffer
<i>Prime Wetlands and Perennial Streams in Watershed Protection Area 1</i>	<i>All sizes</i>	<i>Limited-Cut*</i>	<i>150 Feet</i>
		<i>No-Cut and No-Disturbance</i>	<i>50 Feet</i>
<i>All Wetlands & Intermittent Streams in Watershed Protection Area 2</i>	<i>Wetlands over 20,000 square feet</i>	<i>No-Cut and No-Disturbance</i>	<i>50 Feet</i>
<i>Vernal Pools</i>	<i>All sizes</i>	<i>No-Cut and No-Disturbance</i>	<i>50 Feet</i>
<i>All other Wetlands</i>	<i>Greater than 3,000 and less than 20,000 square feet</i>	<i>No-Cut and No-Disturbance</i>	<i>25 Feet</i>

** Tree cutting must follow the standards of the NHDES Comprehensive Shoreland Protection Act. Live trees and saplings may be removed provided certain criteria are met. Starting from the northerly or easterly boundary of the property, and working along the Prime Wetland boundary, divide the buffer into 50 feet x 50 feet segments. Within each segment a minimum combined tree and sapling score of at least 50 points must be maintained.*

Calculating the tree and sapling score within a 50 foot by 50 foot segment:

Determine each tree and sapling circumference 4½ feet above the ground, uphill side and score as follows:

Diameter of Tree or Sapling Score

1 inch to 6 inches = 1 pt

6 inches to 12 inches = 5 pts

Greater than 12 inches = 10 pts

Prior to cutting a report and map must be prepared and submitted to the Fremont Conservation Commission or their designee for approval.

J. Test Procedures: Soil testing procedures shall be subject to the prior review, approval and on site inspection by the Planning Board or its designate. Such procedures shall be conducted by, and at the expense of, the landowner/ subdivider. A complete record of the tests shall be submitted to the Selectmen and placed on file with the Planning Board.

ENFORCEMENT

- A. This Ordinance may be enforced by the Planning Board, Building Inspector, Code Enforcement Officer or the Board of Selectmen.
- B. Any owner found violating any provisions of this Ordinance shall be subject to the “Fines and Penalties” provisions of RSA 676:16 & 17, and the Cease and Desist Order process under RSA 676:17(a) and 17(b) or such other injunctive or other equitable relief under law that Court may deem appropriate. The Town specifically reserves the right to request and obtain mandatory injunctive relief both immediate and permanent, requiring the landowner to repair,

replace, mitigate or otherwise remedy any such violation and to restore the property to its original condition. All costs, fees or expenses including legal fees, engineering fees, consulting fees incurred by the Town shall without limitation be recoverable by the Town against the owner and shall be subject to the collection provisions provided under 676:17(a) IX.

C. Any Notice sent to the owner advising that owner of any violation of this Ordinance may be regular mail or transmitted electronically or served in hand or at the abode of the owner or the location of the property, by any official of the Town or member of the Police Department, or by the Town's legal counsel.

Buffer and setback diagram to be added as Appendix A.

The Planning Board recommends this amendment. (Majority vote required.)

2010 OPERATING BUDGET

ARTICLE 4: Shall the Town of Fremont raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$2,440,256? Should this article be defeated, the default budget shall be \$2,552,072, which is the same as last year, with certain adjustments required by previous action of the Town of Fremont or by law or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

Note: This operating budget warrant article does not include appropriations contained in ANY other warrant articles. The Selectmen recommend this appropriation 2-0. The Budget Committee recommends this appropriation 7-0. (Majority vote required.)

FUNDING THE 2010 RECERTIFICATION PROCESS – No amount to be raised by taxation

ARTICLE 5: To see if the Town will vote to raise and appropriate the sum of seventy-six thousand dollars (\$76,000) to perform an assessment recertification for the tax year beginning 04/01/2010 pursuant to NH DRA Rules; and further to authorize the withdrawal of seventy-six thousand dollars (\$76,000) from the Revaluation Capital Reserve Fund created for this purpose. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the recertification is complete or by December 31, 2011, whichever is sooner. The Selectmen recommend this appropriation 3-0. The

Budget Committee recommends this appropriation 8-0. (Majority vote required.) There is no amount to be raised from taxation for this article.

CONTRIBUTION TO THE HIGHWAY BUILDING CAPITAL RESERVE FUND

ARTICLE 6: To see if the Town will vote to raise and appropriate the sum of fifteen thousand dollars (\$15,000) to be placed in the Highway Building Capital Reserve Fund.

The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 5-3. (Majority vote required.)

CONTRIBUTION TO THE POLICE CRUISER CAPITAL RESERVE FUND – No amount to be raised by taxation

ARTICLE 7: To see if the Town will vote to raise and appropriate the sum of twelve thousand five hundred dollars (\$12,500) to be placed in the Police Cruiser Capital Reserve Fund. This sum to come from unreserved fund balance and no amount to be raised from taxation. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends the appropriation 6-0. (Majority vote required.)

CONTRIBUTION TO THE TOWN HALL RENOVATIONS CAPITAL RESERVE FUND – No amount to be raised by taxation

ARTICLE 8: To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Town Hall Renovations Capital Reserve Fund. This sum to come from unreserved fund balance and no amount to be raised from taxation. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.)

CONTRIBUTION TO THE REVALUATION CAPITAL RESERVE FUND – No amount to be raised by taxation

ARTICLE 9: To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be placed in the Property Reassessment Capital Reserve Fund. This sum to come from unreserved fund balance and no amount to be raised from taxation. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.)

CONTRIBUTION TO THE FIRE TRUCK CAPITAL RESERVE FUND

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of fifty thousand dollars (\$50,000) to be placed in the Fire Truck Capital Reserve Fund, with \$25,000 of this sum to come from unreserved fund balance and \$25,000 to be raised from taxation. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 6-0. (Majority vote required.)

CONTRIBUTION TO THE HIGHWAY EQUIPMENT CAPITAL RESERVE FUND

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to be placed in the Highway Equipment Capital Reserve Fund. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 5-3. (Majority vote required.)

REMOVAL OF MONEY FROM CAPITAL RESERVE TO PURCHASE A POLICE CRUISER – No amount to be raised by taxation

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of twenty-six thousand nine hundred ninety-six dollars (\$26,996) to purchase and equip a 2010 Police Cruiser for the Police Department; and further to authorize the withdrawal of twenty-six thousand nine hundred ninety-six dollars (\$26,996) from the Police Cruiser Capital Reserve Fund created for this purpose. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 8-0. (Majority vote required.) There is no amount to be raised from taxation for this article.

REMOVAL OF MONEY FROM OHRV SPECIAL REVENUE FUND TO PURCHASE OHRV EQUIPMENT – No amount to be raised by taxation

ARTICLE 13: To see if the Town will vote to raise and appropriate the sum of five thousand one hundred fifteen dollars (\$5,115) for the purchase of OHRV equipment; and further to authorize the withdrawal of five thousand one hundred fifteen dollars (\$5,115) from the OHRV Special Revenue Fund created for this purpose. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 8-0. (Majority vote required.) There is no amount to be raised from taxation for this article.

FUNDING THE MOSQUITO CONTROL PROGRAM

ARTICLE 14: To see if the Town will vote to raise and appropriate the sum of forty-nine thousand five hundred fifty dollars (\$49,550) to continue the Public Health Mosquito Control Program. The Selectmen recommend this appropriation 3-0. The Budget Committee recommends this appropriation 8-0. (Majority vote required.)

ESTABLISHING A CABLE ACCESS REVOLVING FUND – No amount to be raised by taxation

ARTICLE 15: To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of Cable Access, and to raise and appropriate twenty-five thousand dollars (\$25,000) from cable franchise fees, to be placed in said fund. All revenues received from cable franchise fees will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's General Fund unreserved fund balance. The Town Treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created. The Selectmen recommend this appropriation 3-0. The Budget Committee Recommend this appropriation 6-0. (Majority vote required.) There is no amount to be raised from taxation for this article.

AUTHORIZING THE CONSERVATION COMMISSION WITH REGARD TO PROPERTY INTERESTS

ARTICLE 16: To see if the Town will vote to adopt the provisions of NH RSA 36-A:4-a, I (b) to authorize the Conservation Commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town will retain no interest in the property. The Selectmen recommend this

article 2-0. The Budget Committee recommends this article 6-1. (Majority vote required.)

ADOPTING THE WOOD HEATING ENERGY EXEMPTION

ARTICLE 17: To see if the Town will vote to adopt the provisions of NH RSA 72:70 for the property tax exemption on real property equipped with wood heating energy systems, which exemption shall be in an amount equal to one hundred percent (100%) of the assessed value of the wood heating energy systems in accordance with NH RSA 72:69, 72:27, 72:33, 72:34; and 72:34-a. The Selectmen recommend this article 2-0. The Budget Committee did not recommend this article 6-1. (Majority vote required.)

ACCEPTANCE OF NEW ROADWAY

ARTICLE 18: To see if the Town will vote to accept deeded title to Risloves Way (approximately 2,660 feet) as designated on Plans # D-31622 and D-32813 from Allan Rislove, with a maintenance bond to be held by the Town in the amount of \$50,000 in accordance with Fremont Subdivision Regulations. The Selectmen recommend this article 2-0. The Budget Committee recommends this article 8-0. (Majority vote required.)

ACCEPTANCE OF NEW ROADWAY

ARTICLE 19: To see if the Town will vote to accept deeded title to Moose Meadow (approximately 1,150 feet) as designated on Plan # D-34369 from Shawn and Kim Senter, with a maintenance bond to be held by the Town in the amount of \$25,000 in accordance with Fremont Subdivision Regulations. The Selectmen recommend this article 2-0. The Budget Committee recommends this article 8-0. (Majority vote required.)

AUTHORIZING THE SELECTMEN TO ACCEPT NEW TOWN ROADS

ARTICLE 20: To see if the Town will vote to delegate to the Board of Selectmen the authority to acceptance dedicated streets. A public hearing shall be held on the proposed acceptance prior to taking action. This authority shall be pursuant to NH RSA 674:40-a. The Selectmen recommend this article 3-0. The Budget Committee recommends this article 8-0. (Majority vote required.)

APPOINTING SELECTMEN AS AGENTS OF CAPITAL RESERVE FUND PREVIOUSLY ESTABLISHED

ARTICLE 21: To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the Property Reassessment Capital Reserve Fund previously established in 1995. The Selectmen recommend this article 3-0. The Budget Committee recommends this article 8-0. (Majority vote required.)

APPOINTING SELECTMEN AS AGENTS OF CAPITAL RESERVE FUND PREVIOUSLY ESTABLISHED

ARTICLE 22: To see if the Town will vote to appoint the Board of Selectmen as agents to expend from the Town Hall Renovations Capital Reserve Fund previously

established in 2006. The Selectmen recommend this article 2-0. The Budget Committee recommends this article 8-0. (Majority vote required.)

RESOLUTION REGARDING AN AMENDMENT TO THE NH CONSTITUTION THAT DEFINES MARRIAGE

ARTICLE 23: By Petition: To see if the Town will vote to approve the following resolution to be forwarded to our State Representatives, our State Senator, the Speaker of the House and the Senate President.

Resolved: The citizens of New Hampshire should be allowed to vote on an amendment to the New Hampshire Constitution that defines "marriage."

The Selectmen recommend this article 2-0. The Budget Committee recommends this article 5-3. (Majority vote required.)

COMBINING THE POSITIONS OF TOWN CLERK AND TAX COLLECTOR

ARTICLE 24: By Petition: Are you in favor of combining the position of Tax Collector and Town Clerk in accordance with RSA 41:45-a, thereby creating a new office of Town Clerk-Tax Collector to be held by one individual and to have the term of office be 3 years, with a proposed combined salary of \$40,000.00. If approved an article shall be placed on the ballot at the next annual meeting to choose a Town Clerk-Tax Collector. The Selectmen recommend this article 2-0. The Budget Committee recommends this article 5-3. (Majority ballot vote required).

Kohlhofer recognized the pie chart that was presented and commented that our tax rate base is not growing fast enough to meet the needs of the town. No matter what is done, taxes are going to go up. The revenues are down in Town also and this increase is below inflation and he wanted to point this out. He said this makes the budgets difficult this year.

Then Carlson started with the MS7 on page 4 to read through all the lines and the figures. She stated that most figures are down this year from last year due to the economy and the Selectmen had asked the Department Heads for a reasonable budget. There are no employee raises in this budget.

Citizen Stanton had questions regarding the revaluation of property. In this line 4152 there was \$48,000 spent last year and he asked what this included. Carlson said \$35,000 was for the contract with Municipal Resources Inc. which is the company that does the day to day assessing updates by building permits, land use change taxes, abatements, etc. \$4,000 is for utility updates. \$6,700 is for Vision software maintenance and web-hosting of Fremont data. Carlson explained that the \$76,000 Warrant Article is for the certification update which is done every 5 years, and the \$48,000 is for assessing throughout the year which includes the contract. Stanton then asked about the \$25,000 that is being asked to be placed into Capital Reserve Fund and with these three amounts totaled, he felt this was a high price being paid for assessing. Carlson explained the benefit of placing this money in reserve each year so that at the end of another five year period the funds would be there to do what is required by DRA and the statute and agreed this is a high price but necessary.

Kohlhofer asked under Personal Administration regarding the change in NH retirement contribution. Carlson said this changed in July 2009 from 11.6% to 13.6% and that the Town's share went up 2%. The State stopped paying their contribution on third party paid wages. The employees share is 9.3%, Town share 13.6% and the State pays almost 6%. This third party change only affects traffic details and this amount is then charge back the utility that might be used for the specific detail.

Kohlhofer explained to the public any dollar amount changes made by the Budget Committee and the rationale they used in making these cuts by line item as Carlson read through them.

In regards to twice a year tax bills being sent out, Citizen Thomas asked the question on why the Town's people didn't have the right to vote on these Articles as it has in the past and that this is their money and why the Selectmen made this decision. St. Germain said this was an issue that was being talked about for months by the Select board and this was an important decision that needed to be made due to the time line. If voted on in March it wouldn't be effective until 2011. Thomas feels the people should have had the right to vote on this. Gates felt in the best interest of the Town was to get the cash flow better in an effort to save money and not having to borrow as much during the year.

Carlson said under SB2 you have to list the Budget Committee's recommendations on the official vote. At the Deliberative Session there can be amendments to budget lines that will be put on an official ballot.

Kohlhofer said that an explanation for Article 15 needs to be presented as this does not come from taxes it is from franchise fees in order to be able to broadcast meetings. This Article is to create a fund to put these fees into. Carlson said she will have in the February newsletter a sheet for people to do their personal tabulation on voting before going to the polls if necessary.

With no other business or questions from the public that was present the Public Hearing ended at 9:25 PM. A brief recessed was called by Chairman Kimball before revisiting Article 24.

The Budget Committee reconvened at 9:30 PM. The discussion regarding tabled Article 24 continued. St. Germain said the Selectmen voted to recommend this position as presented by petition to the Board 2-0.

St. Germain said the rationale presented to the Board of Selectmen was of a financial and business decision whereas Town revenues are down approximately \$164,000, which includes Town clerks receipts. Additionally with the onset of bi-annual Tax billing, the need will be great to be available to answer taxpayer's questions. She also feels this would free up some Town Hall office space to allow Town Treasurer to have the Tax Collectors office therefore all records of the Treasurer including files, computer and records could be kept accessible and safe pursuant to RSA 41:9 which is the Selectmen's obligation. She understands that personalities are involved but as the existing Tax Collector is not seeking re-election and that this merge would allow the Town the year ahead to iron out any problems and prepare for the transition. St. Germain went onto say that she views the Town as a business and given the fact that our country is in recession, and our Town is not growing, we need to prepare for what lies ahead. By combining positions and budgets makes fiscal sense to the Board of Selectmen.

Allore said she knows Towns with combined positions that are at a minimum of 40 hour a week plus have an assistant with a reasonable amount of hours to get the job done. She feels that there may be an abundance of work but she agrees with having the customer service. Pinkham also had concerns if there were no additional hours there could be potentially no better services. Carlson remarked that this figure could be changed at Deliberative Session. Pinkham said this was the first time she is hearing of this combining and asked for the Town Clerk's opinion.

Town Clerk Holmes questioned the information that was presented to the Board of Selectmen. She felt there was minimal data gathered on this Article for presentation and the data was not correct as Moultonborough does not have a combined clerk-collector. With the people she spoke with she found some clerks works 40 hours, Tax Collector between 30-40 with a third part time clerical worker and this decision would be up to the voters. Deputy Town Clerk Kathy Arsenault spoke on how the combining of these two positions would impact her job.

St. Germain stated that data collected was obtained through the Local Government Center book "Pay and Classification Study" however could not speak to the accuracy of their information.

Kohlhofer said this Warrant doesn't include deputy for the position and asked are they are at the discretion of the Selectmen. Nygren stated also that the statues stay the same if they combined these positions which state they only have to work 2 hours a week.

Kohlhofer then called to move the question. Martel remarked that this is going to be on the ballot and the Budget Committee just needs to make their recommendations. A motion was made by Kohlhofer to recommend this Article as written. This was seconded by Nygren. The vote was 5-3. The nays were Allore, Pinkham, and D'eon.

A motion to adjourn the meeting at 9:50 PM was made by Kohlhofer. This was seconded by D'Eon. The vote was unanimous 8-0.

The next Budget Committee meeting is Wednesday, January 13, 2010 at 7:00 PM.

Respectfully submitted,

Jeanne Nygren
Recording Secretary